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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/686,854	10/16/2003	Robert P. Cozier	100110606-1	1744
22879	7590	10/16/2006	EXAMINER	
HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400			MOHAMMED, ALI H	
			ART UNIT	PAPER NUMBER
			2196	

DATE MAILED: 10/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/686,854

Applicant(s)

COZIER ET AL.

Examiner

Ali Mohammed

Art Unit

2196

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10/16/2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Claims 1-17 are presented for examination.

#### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 10 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. Claim 10 recites the limitation, "The method recited in claim 7 wherein the device comprises a digital camera." There is insufficient antecedent basis for "the device" in the claim. Further, it is unclear whether "the device" in claim 10 refers to "the user device" or "the external device." As best understood by the examiner, "the device" will be interpreted as "the user device" for the remainder of this Office Action.

#### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-2, 4, 7-10, 12, and 15-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Chang et al. US 2002/0083121 (hereinafter "Chang").

Considering claim 1, Chang discloses a system for communicating with an external device (abstract) comprising: a display (figure 8a-8g; [0041]); a

customizable share menu that is displayable on the display and which comprises a plurality of selectable icons that respectively correspond to selected tasks or actions that may be performed by a user, and which initiate a through connection with the external device, and, when selected, cause the selected task or action to be performed on the external device in a preprogrammed manner ([0046, 0051, 0054] which describes that the information apparatus and output controller are pre-configured with fixed functionalities and tasks that are displayed and perform operations of external devices; this can be seen as the share menu); wherein the external device communicates identifying information to the system that identifies the external device and it's capabilities ([0054, 0062, 0065] which describes an external device communicates with the information apparatus and output controller uploading the make, model, type of device, identification, version, type of input language, type of device driver software, and type of services provided), and in response, the system configures the share menu according to the capabilities of the external device (figure 4a-4c; [0060, 0062] which describes when an external device is connected to the information apparatus and output controller, the external device will negotiate services and configure its available capabilities to the information apparatus and output controller); and wherein, in response to selecting one of the one or more selectable icons to perform a desired task, the system checks whether the selection that has been made matches the capabilities of the connected external device, and if the selection matches the external device capabilities, performs the desired task by

communicating between the user device and the external device ([0137, 0189] which describes after a task is chosen, the output controller will check if the external device can perform the appropriate task).

Considering claims 2 and 10, Chang discloses a digital camera [0045].

Considering claims 4 and 12, Chang discloses wherein the external device comprises a printer (figure 7; [0003]).

Considering claim 7, Chang discloses configuring a user device to have a share menu that is displayable on a display of the user device on a display of the user device and which comprises one or more selectable icons that correspond to selected tasks or actions that may be performed by a user ([0046, 0051, 0054] which describes that the information apparatus and output controller are pre-configured with fixed functionalities and tasks that are displayed and perform operations of external devices; this can be seen as the share menu); connecting the user device to an external device [0060]; communicating identifying information from the external device to the use user device that identifies the external device and its capabilities ([0054, 0062, 0065] which describes an external device communicates with the information apparatus and output controller uploading the make, model, type of device, identification, version, type of input language, type of device driver software, and type of services provided); configuring the share menu according to the capabilities of the external device selecting one of the one or more selectable icons to perform a desired task (figure 4a-4c; [0060, 0062] which describes when an external device is

connected to the information apparatus and output controller, the external device will negotiate services and configure its available capabilities to the information apparatus and output controller); checking whether the selection that has made matches the capabilities of the connected external device ([0137, 0189] which describes after a task is chosen, the output controller will check if the external device can perform the appropriate task); if the selection matches the external device capabilities, performing the desired task by communicating between the user device and the external device [0137, 0189].

Considering claim 8, Chang discloses wherein the step of communicating uses a predetermined connection protocol [0050].

Considering claim 9, Chang discloses wherein the step of communicating uses a file system ([0051] which describes that the communication may include messages, objects, models, or procedural calls).

Considering claim 15, Chang discloses a system for communicating with an external device (abstract) comprising: a display (figure 8a-8g; [0041]); customizable displayable sharing means that is presentable on the display and which comprises a plurality of selectable icons that respectively correspond to selected tasks or actions that may be performed by a user, for initiating a through connection with the external device, and for causing a selected task or action to be performed on the external device in a preprogrammed manner ([0046, 0051, 0054] which describes that the information apparatus and output controller are

pre-configured with fixed functionalities and tasks that are displayed and perform operations of external devices; this can be seen as the share menu).

Considering claim 16, Chang discloses wherein the external device and its capabilities, and in response, the system configures the share menu according to the capabilities of the external device (figure 4a-4c; [0060, 0062] which describes when an external device is connected to the information apparatus and output controller, the external device will negotiate services and configure its available capabilities to the information apparatus and output controller).

Considering claim 17, Chang disclose wherein, in response to selecting one of the one or more selectable icons to perform a desired task, the system checks whether the selection that has been made matches the capabilities of the connected external device, and if the selection matches the external device capabilities, performs the desired task by communicating between the user device and the external device ([0137, 0189] which describes after a task is chosen, the output controller will check if the external device can perform the appropriate task).

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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8. Claims 3, 5-6, 11, and 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang in view of Kikugawa US 2003/0189644 (hereinafter "Kikugawa").

Considering claims 3 and 11, Chang fails to disclose wherein the tasks are selected from a group consisting of printing, e-mailing, archiving, and downloading data from the system.

Kikugawa discloses printing and archiving [0057], which reads on the tasks are selected from a group consisting of printing, e-mailing, archiving, and downloading data from the system.

Therefore, it should have been obvious to one of ordinary skill in the art at the time of the invention to modify Chang by selecting the tasks from a group consisting of printing, e-mailing, archiving, and downloading data from the system as disclosed by Kikugawa in order to expand the functionality of Chang's system, by giving the user other available types of tasks.

Considering claims 5 and 13, Chang fails to disclose wherein the external device comprises a computer.

Kikugawa discloses the external device comprises a computer [0057].

Therefore, it should have been obvious to one of ordinary skill in the art at the time of the invention to modify Chang by having an external device as a computer disclosed by Kikugawa in order to expand the functionality of Chang's system by using a plurality of different equipment including a computer, thereby enabling archiving of images.



Considering claims 6 and 14, Chang fails to disclose wherein the external equipment comprises a wireless telephone.

Kikugawa discloses the external equipment comprises a wireless telephone [0057].

Therefore, it should have been obvious to one of ordinary skill in the art at the time of the invention to modify Chang by having the external device comprising a wireless phone disclosed by Kikugawa in order to expand the functionality of Chang's system by using a plurality of different equipment including a mobile telephone, thereby communicating photos over different mediums.

### ***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

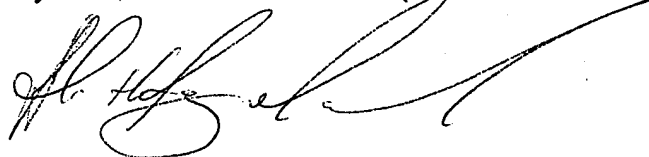
- Matsufune (US 2004/0179102) – Content Transmission Apparatus
- Dara-Abrams et al. (US 6,456,892) – Data Driven Interaction For Networked Control Over a Home Entertainment Network
- Bell (US 4,827,347) – Electronic Camera With Proofing Feature
- Hayashi (US 2004/0012693) – Digital Camera Capable of Communication with External Devices
- Prabhu et al. (US 7,019,778) – Customizing a Digital Camera

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ali Mohammed whose telephone number is (571) 270-1254. The examiner can normally be reached on Monday-Friday (7:30-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nabil El-Hady can be reached on (571) 272-3963. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Ali Mohammed  
September 28, 2006



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SUPERVISORY PATENT EXAMINER